IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SECOND DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

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WRIT PETITION NO. 29313 of 1995

Between:

1 Tota Surya Prakasha Rao S/o.Kotaiah,
Degalavaripalem, H/o.T.Kothapalem,
Nagayalanka Mandal, Krishna Dist
2 Bhogadi Subba Rao S/o. Rathaiah
Talagadadeevi, Nagayalanka Mandal, Krishna Dist
3 Perla Subrahmanyam S/o. Kutumbaiah
Talagadadeevi, Nagayalanka Mandal Krishna Dist
4 Gopalam Basavadevudu S/o. Potharaju
Barankula H/o.Ganapeswaram, Krishna Dist

..... PETITIONERS

AND

1 The District Collector,
Machilipatnam, Krishna District
2 Smt.Lakshmi Pardha Saradhi Bhaskar, IAS.,
Commissioner for Panchayat Raj and Rural Development (Relief Dept.)
Secretariat Buildings, Hyderabad
3 The Superintending Engineer, Irrigation & CAD Department
Vijayawada, Krishna Dist
4 The Mandal Revenue Officer
Nagayalanka, Krishna Dist
5 The Assistant Engineer, Divi Sub-Division
Irrigation Department, Puligadda,
Krishna Dist

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to

issue a writ, order or direction more particularly one in the nature of Writ of Mandamus, granting leave under Order I, Rule 8 of CPC and declaring the action of the respondents in releasing water through Talagadadeevi Channel, Divi Sub-Division passing through T.Kothapalem, Talagadadeevi, Ganapeswaram and Nali Gram Panchayat is illegal, arbitrary, malafide and without jurisdiction and further direct the respondents to close the same and conduct the repairs by May 1996 and pass such other order.

Counsel for the Petitioner: MR.M.V.DURGA PRASAD

Counsel for the Respondents: GP FOR IRRIGATION

The Court made the following :

ORAL ORDER:

Learned counsel for the petitioners submits that the Writ Petition has become infructuous.

Recording the same, the Writ Petition is dismissed as 'infructuous'. No costs.

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(N.V. RAMANA, J)

Dated: 02.09.2004

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To

1 The District Collector,
Machilipatnam, Krishna District
2 Smt.Lakshmi Pardha Saradhi Bhaskar, IAS.,
Commissioner for Panchayat Raj and Rural Development (Relief Dept.)
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Krishna Dist

6. Two CCs to GP for Irrigation, High Court of A.P., Hyderabad (OUT)

7. Two CD copies.